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U. S. Department of Justice
United States Attorney
District of Nevada
333 Las Vegas Blvd., S., Suite 5000
Las Vegas, NV 89101

GREGORY A BROWER
United States Attorney
ERIC JOHNSON
Assistant United States Attorney
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
Phone: (702) 388-6336 / Fax: (702) 388-5087

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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

PLAINTIFF,

vs.

SAMUEL DAVIS, and
SHAWN RICE,

DEFENDANTS.

CRIMINAL INDICTMENT

2:09-CR-

078

VIOLATIONS:

18 U.S.C. § 1956(h) - Conspiracy

18 U.S.C. § 1956(a)(3) - Money
Laundering

18 U.S.C. § 2 - Aiding and Abetting

THE GRAND JURY CHARGES THAT:

COUNT ONE

Conspiracy to Commit Money Laundering

1. From on or about September 20, 2008, and continuing up to and including on or about the date of this Indictment, in the District of Nevada and elsewhere,

**SAMUEL DAVIS, and
SHAWN RICE,**

the defendants herein, and others unknown to the Grand Jury, did willfully and knowingly combine, conspire, confederate and agree together and with each other to conduct and attempt to conduct a financial transaction, as that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), involving property that a law enforcement officer

1 represented to be the proceeds of a specified unlawful activity and property used to conduct
2 and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with the intent
3 to promote the carrying on of the specified unlawful activity and to conceal and disguise the
4 nature, location, source, ownership and control of property believed to be the proceeds of
5 specified unlawful activity, said specified unlawful activity being violations of Title 18, United
6 States Code, Section 1344.

7 **Plan and Purpose of the Conspiracy**

8 2. Beginning in or about March 2008 and continuing through the date of
9 this indictment, law enforcement officers, that is, special agents of the Federal Bureau of
10 Investigation, acting in an undercover capacity, met with defendant **SAMUEL DAVIS** in the
11 State of Nevada and represented to defendant **SAMUEL DAVIS** that they were involved with
12 individuals who were engaged in bank fraud in violation of Title 18, United States Code,
13 Section 1344, specified unlawful activity as defined by Title 18, United States Code, Section
14 1956(c)(7)(A). The undercover agents explained they were involved in the theft and forgery
15 of stolen official checks from Wachovia Bank and showed defendant **SAMUEL DAVIS** what
16 the undercover agents represented as some of the official checks stolen from Wachovia
17 Bank. The undercover agents expressed to defendant **SAMUEL DAVIS** that they desired
18 a mechanism to launder their proceeds from the bank fraud more quickly, that is, the
19 undercover agents sought to have defendant **SAMUEL DAVIS** engage in financial
20 transactions with the proceeds of bank fraud to promote the carrying on of the bank fraud
21 and to conceal and disguise the nature, location, source, ownership and control of the
22 proceeds the undercover agents represented to be the proceeds of bank fraud. Defendant
23 **SAMUEL DAVIS** told the undercover agents that he could launder the proceeds of the bank
24 fraud easily, and that he had engaged in money laundering in the past. Defendant **SAMUEL**
25 **DAVIS** told the undercover agents that the money would originate in the undercover agents'

1 financial account, then pass through one or more trusts and corporations financial accounts
2 controlled by defendant **SAMUEL DAVIS** before defendant **SAMUEL DAVIS** would return
3 the proceeds of the bank fraud to the undercover agents' financial account. Defendant
4 **SAMUEL DAVIS** said he would then further launder the proceeds of the bank fraud by
5 disguising the proceeds as loans. Defendant **SAMUEL DAVIS** explained that the money
6 would not be subject to tax liability, and that the loans would be concealed by having all
7 parties involved sign non-disclosure agreements.

8 3. To accomplish the laundering of the proceeds, defendant **SAMUEL**
9 **DAVIS** agreed to and received from the undercover agents \$10,000, which the undercover
10 agents represented as the proceeds of bank fraud, to cover the costs of creating any trusts
11 and corporations that defendant **SAMUEL DAVIS** would use to "wash" the proceeds. As
12 additional compensation for the laundering of the proceeds, defendant **SAMUEL DAVIS** also
13 agreed to receive an additional ten percent (10%) on the first \$200,000 the undercover
14 agents wire transferred to him to be laundered. Subsequently, defendant **SAMUEL DAVIS**
15 arranged for the undercover agents to wire transfer money, which the undercover agents
16 represented to defendant **SAMUEL DAVIS** was the proceeds from bank fraud, to Wells
17 Fargo account number XXXXXX5202 in the name of Boulder Mountain Funding Trust.
18 Defendant **SAMUEL DAVIS** would then wire transfer the money back the to undercover
19 agents' financial account in the State of Nevada minus any fee for defendant **SAMUEL**
20 **DAVIS's** services. From March 2008 through on or about September 9, 2008, undercover
21 agents wire transferred to **SAMUEL DAVIS** a total of approximately \$585,000. Defendant
22 **SAMUEL DAVIS** had wire transferred back to agents approximately \$540,000 to the
23 undercover agents financial account, and had kept \$45,000 as payment for his money
24 laundering services.

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1 4. Beginning in or about September 2008, the undercover agents told
2 defendant **SAMUEL DAVIS** that the proceeds the undercover agents represented to be the
3 proceeds of bank fraud were no longer available to be provided to defendant **SAMUEL**
4 **DAVIS** for laundering through the use of wire transfers between financial institutions. The
5 undercover agents told defendant **SAMUEL DAVIS** that the proceeds of the bank fraud were
6 now available only in cash. To assist with the laundering of currency which the undercover
7 agents represented to be from bank fraud, defendant **SAMUEL DAVIS** obtained the
8 assistance of his associate, defendant **SHAWN RICE**. In or about September 2008,
9 defendant **SAMUEL DAVIS** arranged for himself and defendant **SHAWN RICE** to meet an
10 undercover agent in the State of Nevada to discussed how to launder the cash proceeds
11 from bank fraud through financial transactions to promote the carrying on of the bank fraud
12 and to conceal and disguise the nature, location, source, ownership and control of the cash.
13 Beginning in or about September 2008, the undercover agent represented to defendant
14 **SAMUEL DAVIS** that he was involved with individuals who were engaged in bank fraud, in
15 violation of Title 18, United States Code, Section 1344, specified unlawful activity as defined
16 by Title 18, United States Code, Section 1956(c)(7)(A). The undercover agent explained he
17 was involved in the theft and forgery of stolen official checks from Wachovia Bank and
18 showed defendant **SHAWN RICE** what the undercover agent represented as some of the
19 official checks stolen from Wachovia Bank. The undercover agent subsequently advised
20 defendant **SHAWN RICE** that his contact at Wachovia Bank who was stealing the blank
21 official checks and signature stamps was getting transferred to the same department at
22 Wells Fargo Bank, and would be in a position to steal these same items at Wells Fargo
23 Bank.

24 5. Defendant **SHAWN RICE** proposed several options to launder the cash
25 proceeds, including moving the currency into J.P. Morgan Chase Bank of Arizona through
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1 his purported religions organizations, "The Order of Gershom" or "Simpe." Defendant
2 **SHAWN RICE** explained to the undercover agent that he could take the cash proceeds and
3 deposit them into his bank account as charitable donations because he claimed he was a
4 rabbi. Defendant **SHAWN RICE** further explained if he were stopped by police and
5 questioned about his possession of a large amount of cash, he would tell the police the
6 money was religious donations. Defendant **SHAWN RICE** stated that after he deposited the
7 money in his personal account, defendant **SHAWN RICE** could then transfer the money to
8 the undercover agent's financial account. Defendant **SHAWN RICE** agreed to launder the
9 cash proceeds the undercover agent represented to be the proceeds of bank fraud at a three
10 percent (3%) commission

11 6. Beginning in or about October 2008, the undercover agent would meet
12 with defendant **SHAWN RICE** in the State of Nevada and provided defendant **SHAWN RICE**
13 with cash which the undercover agent would represent to be the proceeds of bank fraud.
14 Defendant **SHAWN RICE** would subsequently deposit the currency in his Simpe account at
15 J.P. Morgan Chase Bank, account number XXXXX4312, and then wire transfer the money
16 back to the undercover agent's financial account in the State of Nevada. Defendant **SHAWN**
17 **RICE** opened the Simpe account at J.P. Morgan Chase Bank under a false Social Security
18 Number not assigned to him. This allowed him to conceal his ownership and control of the
19 account and his involvement in the flow of currency through the account, in part by having
20 Currency Transaction Reports showing cash deposits or withdrawals in amounts over ten
21 thousand dollars (\$10,000.00) filed under the false Social Security number rather than the
22 Social Security number assigned to Defendant **SHAWN RICE**.

23 7. In or about November 2008, defendant **SAMUEL DAVIS** and defendant
24 **SHAWN RICE** met with an undercover agent in the State of Nevada and discussed the
25 changing of the method of laundering the proceeds the undercover agent represented as the
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1 proceeds of bank fraud by wire transferring the currency after Defendant **SHAWN RICE** had
2 deposited in to his Simpe account at J.P. Morgan Chase Bank to defendant **SAMUEL**
3 **DAVIS's** Boulder Mountain Funding Trust at Wells Fargo Bank and then having defendant
4 **SAMUEL DAVIS** wire transfer the money to the undercover agent's financial account.
5 Defendant **SAMUEL DAVIS** agreed to take a five percent (5%) commission of the money
6 laundered as compensation for his services in laundering the bank fraud proceeds.
7 Defendant **SHAWN RICE** agreed to take a three percent (3%) commission of the money
8 laundered as compensation for his services in laundering the bank fraud proceeds.
9 Subsequently, in the State of Nevada, the undercover agent or a confidential human source
10 acting at the direction of the undercover agent provided defendant **SHAWN RICE** cash
11 proceeds the undercover agent and the confidential human source represented to be the
12 proceeds of bank fraud. Defendant **SHAWN RICE** would take the cash proceeds and
13 deposit them into his Simpe account at J.P. Morgan Chase bank, account number
14 XXXXX4312 and wire transfer the money minus any fee to defendant **SAMUEL DAVIS's**
15 account in the name of Boulder Mountain Funding Trust at Wells Fargo Bank, account
16 number XXXXX5202, defendant **SAMUEL DAVIS** would then wire transfer the money
17 minus any fee to the undercover agent's financial account in the State of Nevada. From
18 March 2008 through on or about the date of this indictment, in the State of Nevada, the
19 undercover agents and confidential human source acting at the undercover agent's direction
20 had provided defendant **SAMUEL DAVIS** and defendant **SHAWN RICE** a total of
21 approximately \$1,293,782 in cash proceeds. Defendant **SAMUEL DAVIS** and defendant
22 **SHAWN RICE** had wire transferred back to the undercover agents approximately \$1,198,000
23 to the undercover agents' financial account in the State of Nevada. Defendant **SAMUEL**
24 **DAVIS** had taken a total of approximately \$73,782 as fees for his services in laundering the
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1 bank fraud proceeds. Defendant **SHAWN RICE** had taken a total of approximately \$22,000
2 as fees for his services in laundering the bank fraud proceeds.

3 All in violation of Title 18, United States Code, Section 1956(h).

4 **COUNT TWO**

5 Money Laundering; Aiding and Abetting

6 8. Paragraphs 2 through 7 of this Indictment are realleged and
7 incorporated by reference herein.

8 9. On or about May 2, 2008, in the District of Nevada and elsewhere,

9 **SAMUEL DAVIS,**

10 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
11 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
12 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$15,000 from Wells
13 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
14 to a financial account in the United States controlled by a FBI agent acting in an undercover
15 capacity, involving property that a the FBI agent acting in his undercover capacity had
16 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
17 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
18 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
19 the intent to promote the carrying on of the specified unlawful activity and to conceal and
20 disguise the nature, location, source, ownership and control of property believed to be the
21 proceeds of the specified unlawful activity, said specified unlawful activity being violations
22 of Title 18, United States Code, Section 1344.

23 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

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COUNT THREE

Money Laundering; Aiding and Abetting

10. Paragraphs 2 through 7 of this Indictment are realleged and incorporated by reference herein.

11. On or about May 8, 2008, in the District of Nevada and elsewhere,

SAMUEL DAVIS,

defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said financial transaction being defendant **SAMUEL DAVIS** wire transferring \$18,000 from Wells Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust to a financial account in the United States controlled by a FBI agent acting in an undercover capacity, involving property that a the FBI agent acting in his undercover capacity had previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with the intent to promote the carrying on of the specified unlawful activity and to conceal and disguise the nature, location, source, ownership and control of property believed to be the proceeds of the specified unlawful activity, said specified unlawful activity being violations of Title 18, United States Code, Section 1344.

All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

COUNT FOUR

Money Laundering; Aiding and Abetting

12. Paragraphs 2 through 7 of this Indictment are realleged and incorporated by reference herein.

1 13. On or about May 12, 2008, in the District of Nevada and elsewhere,
2 **SAMUEL DAVIS,**
3 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
4 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
5 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$25,000 from Wells
6 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
7 to a financial account in the United States controlled by a FBI agent acting in an undercover
8 capacity, involving property that a the FBI agent acting in his undercover capacity had
9 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
10 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
11 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
12 the intent to promote the carrying on of the specified unlawful activity and to conceal and
13 disguise the nature, location, source, ownership and control of property believed to be the
14 proceeds of the specified unlawful activity, said specified unlawful activity being violations
15 of Title 18, United States Code, Section 1344.

16 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

17 **COUNT FIVE**
18 Money Laundering; Aiding and Abetting

19 14. Paragraphs 2 through 7 of this Indictment are realleged and
20 incorporated by reference herein.

21 15. On or about May 16, 2008, in the District of Nevada and elsewhere,
22 **SAMUEL DAVIS,**
23 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
24 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
25 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$32,000 from Wells
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1 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
2 to a financial account in the United States controlled by a FBI agent acting in an undercover
3 capacity, involving property that a the FBI agent acting in his undercover capacity had
4 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
5 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
6 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
7 the intent to promote the carrying on of the specified unlawful activity and to conceal and
8 disguise the nature, location, source, ownership and control of property believed to be the
9 proceeds of the specified unlawful activity, said specified unlawful activity being violations
10 of Title 18, United States Code, Section 1344.

11 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.
12 56(a)(3)(A) and 2.

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14 **COUNT SIX**
Money Laundering; Aiding and Abetting

15 16. Paragraphs 2 through 7 of this Indictment are realleged and
16 incorporated by reference herein.

17 17. On or about May 29, 2008, in the District of Nevada and elsewhere,
18 **SAMUEL DAVIS,**
19 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
20 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
21 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$20,000 from Wells
22 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
23 to a financial account in the United States controlled by a FBI agent acting in an undercover
24 capacity, involving property that a the FBI agent acting in his undercover capacity had
25 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
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1 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
2 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
3 the intent to promote the carrying on of the specified unlawful activity and to conceal and
4 disguise the nature, location, source, ownership and control of property believed to be the
5 proceeds of the specified unlawful activity, said specified unlawful activity being violations
6 of Title 18, United States Code, Section 1344.

7 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

8 **COUNT SEVEN**

9 Money Laundering; Aiding and Abetting

10 18. Paragraphs 2 through 7 of this Indictment are realleged and
11 incorporated by reference herein.

12 19. On or about June 3, 2008, in the District of Nevada and elsewhere,

13 **SAMUEL DAVIS,**

14 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
15 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
16 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$20,000 from Wells
17 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
18 to a financial account in the United States controlled by a FBI agent acting in an undercover
19 capacity, involving property that a the FBI agent acting in his undercover capacity had
20 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
21 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
22 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
23 the intent to promote the carrying on of the specified unlawful activity and to conceal and
24 disguise the nature, location, source, ownership and control of property believed to be the
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1 proceeds of the specified unlawful activity, said specified unlawful activity being violations
2 of Title 18, United States Code, Section 1344.

3 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2..

4 **COUNT EIGHT**

5 Money Laundering; Aiding and Abetting

6 21. Paragraphs 2 through 7 of this Indictment are realleged and
7 incorporated by reference herein.

8 22. On or about June 13, 2008, in the District of Nevada and elsewhere,

9 **SAMUEL DAVIS,**

10 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
11 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
12 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$5,000 from Wells
13 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
14 to a financial account in the United States controlled by a FBI agent acting in an undercover
15 capacity, involving property that a the FBI agent acting in his undercover capacity had
16 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
17 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
18 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
19 the intent to promote the carrying on of the specified unlawful activity and to conceal and
20 disguise the nature, location, source, ownership and control of property believed to be the
21 proceeds of the specified unlawful activity, said specified unlawful activity being violations
22 of Title 18, United States Code, Section 1344.

23 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

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COUNT NINE

Money Laundering; Aiding and Abetting

23. Paragraphs 2 through 7 of this Indictment are realleged and incorporated by reference herein.

24. On or about June 25, 2008, in the District of Nevada and elsewhere,

SAMUEL DAVIS,

defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said financial transaction being defendant **SAMUEL DAVIS** wire transferring \$35,000 from Wells Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust to a financial account in the United States controlled by a FBI agent acting in an undercover capacity, involving property that a the FBI agent acting in his undercover capacity had previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with the intent to promote the carrying on of the specified unlawful activity and to conceal and disguise the nature, location, source, ownership and control of property believed to be the proceeds of the specified unlawful activity, said specified unlawful activity being violations of Title 18, United States Code, Section 1344.

All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

COUNT TEN

Money Laundering; Aiding and Abetting

25. Paragraphs 2 through 7 of this Indictment are realleged and incorporated by reference herein.

1 26. On or about June 30, 2008, in the District of Nevada and elsewhere,
2 **SAMUEL DAVIS,**
3 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
4 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
5 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$45,000 from Wells
6 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
7 to a financial account in the United States controlled by a FBI agent acting in an undercover
8 capacity, involving property that a the FBI agent acting in his undercover capacity had
9 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
10 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
11 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
12 the intent to promote the carrying on of the specified unlawful activity and to conceal and
13 disguise the nature, location, source, ownership and control of property believed to be the
14 proceeds of the specified unlawful activity, said specified unlawful activity being violations
15 of Title 18, United States Code, Section 1344.

16 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

17 **COUNT ELEVEN**

18 Money Laundering; Aiding and Abetting

19 27. Paragraphs 2 through 7 of this Indictment are realleged and
20 incorporated by reference herein.

21 28. On or about July 7, 2008, in the District of Nevada and elsewhere,

22 **SAMUEL DAVIS,**

23 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
24 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
25 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$40,000 from Wells
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1 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
2 to a financial account in the United States controlled by a FBI agent acting in an undercover
3 capacity, involving property that a the FBI agent acting in his undercover capacity had
4 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
5 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
6 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
7 the intent to promote the carrying on of the specified unlawful activity and to conceal and
8 disguise the nature, location, source, ownership and control of property believed to be the
9 proceeds of the specified unlawful activity, said specified unlawful activity being violations
10 of Title 18, United States Code, Section 1344.

11 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

12 **COUNT TWELVE**

13 Money Laundering; Aiding and Abetting

14 29. Paragraphs 2 through 7 of this Indictment are realleged and
15 incorporated by reference herein.

16 30. On or about July 15, 2008, in the District of Nevada and elsewhere,

17 **SAMUEL DAVIS,**

18 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
19 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
20 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$45,000 from Wells
21 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
22 to a financial account in the United States controlled by a FBI agent acting in an undercover
23 capacity, involving property that a the FBI agent acting in his undercover capacity had
24 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
25 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
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1 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
2 the intent to promote the carrying on of the specified unlawful activity and to conceal and
3 disguise the nature, location, source, ownership and control of property believed to be the
4 proceeds of the specified unlawful activity, said specified unlawful activity being violations
5 of Title 18, United States Code, Section 1344.

6 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

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8 **COUNT THIRTEEN**
9 Money Laundering; Aiding and Abetting

10 31. Paragraphs 2 through 7 of this Indictment are realleged and
11 incorporated by reference herein.

12 32. On or about July 18, 2008, in the District of Nevada and elsewhere,

13 **SAMUEL DAVIS,**

14 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
15 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
16 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$60,000 from Wells
17 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
18 to a financial account in the United States controlled by a FBI agent acting in an undercover
19 capacity, involving property that a the FBI agent acting in his undercover capacity had
20 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
21 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
22 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
23 the intent to promote the carrying on of the specified unlawful activity and to conceal and
24 disguise the nature, location, source, ownership and control of property believed to be the
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1 proceeds of the specified unlawful activity, said specified unlawful activity being violations
2 of Title 18, United States Code, Section 1344.

3 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

4 **COUNT FOURTEEN**

5 Money Laundering; Aiding and Abetting

6 33. Paragraphs 2 through 7 of this Indictment are realleged and
7 incorporated by reference herein.

8 34. On or about July 29, 2008, in the District of Nevada and elsewhere,

9 **SAMUEL DAVIS,**

10 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
11 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
12 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$65,000 from Wells
13 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
14 to a financial account in the United States controlled by a FBI agent acting in an undercover
15 capacity, involving property that a the FBI agent acting in his undercover capacity had
16 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
17 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
18 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
19 the intent to promote the carrying on of the specified unlawful activity and to conceal and
20 disguise the nature, location, source, ownership and control of property believed to be the
21 proceeds of the specified unlawful activity, said specified unlawful activity being violations
22 of Title 18, United States Code, Section 1344.

23 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

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COUNT FIFTEEN

Money Laundering; Aiding and Abetting

35. Paragraphs 2 through 7 of this Indictment are realleged and incorporated by reference herein.

36. On or about August 6, 2008, in the District of Nevada and elsewhere,

SAMUEL DAVIS,

defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said financial transaction being defendant **SAMUEL DAVIS** wire transferring \$35,000 from Wells Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust to a financial account in the United States controlled by a FBI agent acting in an undercover capacity, involving property that a the FBI agent acting in his undercover capacity had previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with the intent to promote the carrying on of the specified unlawful activity and to conceal and disguise the nature, location, source, ownership and control of property believed to be the proceeds of the specified unlawful activity, said specified unlawful activity being violations of Title 18, United States Code, Section 1344.

All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

COUNT SIXTEEN

Money Laundering; Aiding and Abetting

37. Paragraphs 2 through 7 of this Indictment are realleged and incorporated by reference herein.

1 38. On or about August 20, 2008, in the District of Nevada and elsewhere,
2 **SAMUEL DAVIS,**
3 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
4 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
5 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$30,000 from Wells
6 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
7 to a financial account in the United States controlled by a FBI agent acting in an undercover
8 capacity, involving property that a the FBI agent acting in his undercover capacity had
9 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
10 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
11 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
12 the intent to promote the carrying on of the specified unlawful activity and to conceal and
13 disguise the nature, location, source, ownership and control of property believed to be the
14 proceeds of the specified unlawful activity, said specified unlawful activity being violations
15 of Title 18, United States Code, Section 1344.

16 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

17 **COUNT SEVENTEEN**

18 Money Laundering; Aiding and Abetting

19 39. Paragraphs 2 through 7 of this Indictment are realleged and
20 incorporated by reference herein.

21 40. On or about September 4, 2008, in the District of Nevada and
22 elsewhere,

23 **SAMUEL DAVIS,**

24 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
25 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
26

1 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$25,000 from Wells
2 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
3 to a financial account in the United States controlled by a FBI agent acting in an undercover
4 capacity, involving property that a the FBI agent acting in his undercover capacity had
5 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
6 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
7 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
8 the intent to promote the carrying on of the specified unlawful activity and to conceal and
9 disguise the nature, location, source, ownership and control of property believed to be the
10 proceeds of the specified unlawful activity, said specified unlawful activity being violations
11 of Title 18, United States Code, Section 1344.

12 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

13 **COUNT EIGHTEEN**

14 Money Laundering; Aiding and Abetting

15 41. Paragraphs 2 through 7 of this Indictment are realleged and
16 incorporated by reference herein.

17 42. On or about September 9 2008, in the District of Nevada and
18 elsewhere,

19 **SAMUEL DAVIS,**

20 defendant herein, did knowingly conduct and attempt to conduct a financial transaction, as
21 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
22 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$25,000 from Wells
23 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
24 to a financial account in the United States controlled by a FBI agent acting in an undercover
25 capacity, involving property that a the FBI agent acting in his undercover capacity had
26

1 previously wire transferred to defendant **SAMUEL DAVIS** and represented to defendant
2 **SAMUEL DAVIS** to be the proceeds of a specified unlawful activity and property used to
3 conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with
4 the intent to promote the carrying on of the specified unlawful activity and to conceal and
5 disguise the nature, location, source, ownership and control of property believed to be the
6 proceeds of the specified unlawful activity, said specified unlawful activity being violations
7 of Title 18, United States Code, Section 1344.

8 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

9
10 **COUNT NINETEEN**

11 Money Laundering; Aiding and Abetting

12 43. Paragraphs 2 through 7 of this Indictment are realleged and
13 incorporated by reference herein.

14 44. On or about October 15, 2008, in the District of Nevada and elsewhere,

15 **SAMUEL DAVIS, and**
SHAWN RICE

16 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
17 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
18 financial transaction being defendant **SHAWN RICE** depositing a check for \$10,000 from
19 J.P. Morgan Chase Bank, account number XXXXX4312, in the name of Simpe, to a financial
20 account controlled by a FBI agent acting in an undercover capacity, involving property that
21 a the FBI agent acting in his undercover capacity had previously provided in currency to
22 defendant **SHAWN RICE** in the State of Nevada and represented to defendants **SAMUEL**
23 **DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and property
24 used to conduct and facilitate the specified unlawful activity, that is, proceeds from bank
25 fraud, with the intent to promote the carrying on of the specified unlawful activity and to
26

1 conceal and disguise the nature, location, source, ownership and control of property believed
2 to be the proceeds of the specified unlawful activity, said specified unlawful activity being
3 violations of Title 18, United States Code, Section 1344.

4 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

5 **COUNT TWENTY**

6 Money Laundering; Aiding and Abetting

7 45. Paragraphs 2 through 7 of this Indictment are realleged and
8 incorporated by reference herein.

9 46. On or about October 27, 2008, in the District of Nevada and elsewhere,

10 **SAMUEL DAVIS, and
SHAWN RICE**

11 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
12 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
13 financial transaction being defendant **SHAWN RICE** depositing a check for \$27,000 from
14 J.P. Morgan Chase Bank, account number XXXXX4312, in the name of Simpe, to a financial
15 account controlled by a FBI agent acting in an undercover capacity, involving property that
16 a the FBI agent acting in his undercover capacity had previously provided in currency to
17 defendant **SHAWN RICE** in the State of Nevada and represented to defendants **SAMUEL**
18 **DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and property
19 used to conduct and facilitate the specified unlawful activity, that is, proceeds from bank
20 fraud, with the intent to promote the carrying on of the specified unlawful activity and to
21 conceal and disguise the nature, location, source, ownership and control of property believed
22 to be the proceeds of the specified unlawful activity, said specified unlawful activity being
23 violations of Title 18, United States Code, Section 1344.

24 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

25

COUNT TWENTY-ONE

Money Laundering; Aiding and Abetting

47. Paragraphs 2 through 7 of this Indictment are realleged and incorporated by reference herein.

48. On or about October 31, 2008, in the District of Nevada and elsewhere,

**SAMUEL DAVIS, and
SHAWN RICE**

defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said financial transaction being defendant **SHAWN RICE** depositing a check for \$60,000 from J.P. Morgan Chase Bank, account number XXXXX4312, in the name of Simpe, to a financial account controlled by a FBI agent acting in an undercover capacity, involving property that a the FBI agent acting in his undercover capacity had previously provided in currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and property used to conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with the intent to promote the carrying on of the specified unlawful activity and to conceal and disguise the nature, location, source, ownership and control of property believed to be the proceeds of the specified unlawful activity, said specified unlawful activity being violations of Title 18, United States Code, Section 1344.

All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

COUNT TWENTY-TWO

Money Laundering; Aiding and Abetting

49. Paragraphs 2 through 7 of this Indictment are realleged and incorporated by reference herein.

1 50. On or about November 7, 2008, in the District of Nevada and elsewhere,
2 **SAMUEL DAVIS, and**
3 **SHAWN RICE,**
4 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
5 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
6 financial transaction being defendant **SAMUEL DAVIS** depositing a check for \$100,000 from
7 Wells Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding
8 Trust to a financial account controlled by a FBI agent acting in an undercover capacity,
9 involving property that a the FBI agent acting in his undercover capacity had previously
10 provided in currency to defendant **SHAWN RICE** in the State of Nevada and represented to
11 defendants **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful
12 activity and property used to conduct and facilitate the specified unlawful activity, that is,
13 proceeds from bank fraud, with the intent to promote the carrying on of the specified unlawful
14 activity and to conceal and disguise the nature, location, source, ownership and control of
15 property believed to be the proceeds of the specified unlawful activity, said specified unlawful
16 activity being violations of Title 18, United States Code, Section 1344.

17 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

18 **COUNT TWENTY-THREE**
19 Money Laundering; Aiding and Abetting

20 51. Paragraphs 2 through 7 of this Indictment are realleged and
21 incorporated by reference herein.

22 52. On or about November 19, 2008, in the District of Nevada and
23 elsewhere,

24 **SAMUEL DAVIS, and**
25 **SHAWN RICE,**
26

defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said financial transaction being defendant **SAMUEL DAVIS** wire transferring \$50,000 from Wells Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust to a financial account controlled by a FBI agent acting in an undercover capacity, involving property that a the FBI agent acting in his undercover capacity had previously provided in currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and property used to conduct and facilitate the specified unlawful activity, that is, proceeds from bank fraud, with the intent to promote the carrying on of the specified unlawful activity and to conceal and disguise the nature, location, source, ownership and control of property believed to be the proceeds of the specified unlawful activity, said specified unlawful activity being violations of Title 18, United States Code, Section 1344.

All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

COUNT TWENTY-FOUR

Money Laundering; Aiding and Abetting

53. Paragraphs 2 through 7 of this Indictment are realleged and incorporated by reference herein.

54. On or about November 21, 2008, in the District of Nevada and elsewhere,

**SAMUEL DAVIS, and
SHAWN RICE,**

defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said financial transaction being defendant **SAMUEL DAVIS** wire transferring \$45,000 from Wells Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust

1 to a financial account controlled by a FBI agent acting in an undercover capacity, involving
 2 property that a the FBI agent acting in his undercover capacity had previously provided in
 3 currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants
 4 **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and
 5 property used to conduct and facilitate the specified unlawful activity, that is, proceeds from
 6 bank fraud, with the intent to promote the carrying on of the specified unlawful activity and
 7 to conceal and disguise the nature, location, source, ownership and control of property
 8 believed to be the proceeds of the specified unlawful activity, said specified unlawful activity
 9 being violations of Title 18, United States Code, Section 1344.

10 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

11 **COUNT TWENTY-FIVE**
 12 Money Laundering; Aiding and Abetting

13 54. Paragraphs 2 through 7 of this Indictment are realleged and
 14 incorporated by reference herein.

15 55. On or about December 1, 2008, in the District of Nevada and elsewhere,

16 **SAMUEL DAVIS, and**
 17 **SHAWN RICE,**

18 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
 19 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
 20 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$60,000 from Wells
 21 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
 22 to a financial account controlled by a FBI agent acting in an undercover capacity, involving
 23 property that a the FBI agent acting in his undercover capacity had previously provided in
 24 currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants
 25 **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and
 26 property used to conduct and facilitate the specified unlawful activity, that is, proceeds from

1 bank fraud, with the intent to promote the carrying on of the specified unlawful activity and
2 to conceal and disguise the nature, location, source, ownership and control of property
3 believed to be the proceeds of the specified unlawful activity, said specified unlawful activity
4 being violations of Title 18, United States Code, Section 1344.

5 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

6
7 **COUNT TWENTY-SIX**

8 **Money Laundering; Aiding and Abetting**

9 56. Paragraphs 2 through 7 of this Indictment are realleged and
10 incorporated by reference herein.

11 57. On or about December 2, 2008, in the District of Nevada and elsewhere,

12 **SAMUEL DAVIS, and
SHAWN RICE,**

13 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
14 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
15 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$32,000 from Wells
16 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
17 to a financial account controlled by a FBI agent acting in an undercover capacity, involving
18 property that a the FBI agent acting in his undercover capacity had previously provided in
19 currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants
20 **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and
21 property used to conduct and facilitate the specified unlawful activity, that is, proceeds from
22 bank fraud, with the intent to promote the carrying on of the specified unlawful activity and
23 to conceal and disguise the nature, location, source, ownership and control of property
24 believed to be the proceeds of the specified unlawful activity, said specified unlawful activity
25 being violations of Title 18, United States Code, Section 1344.

1 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

2 **COUNT TWENTY-SEVEN**

3 Money Laundering; Aiding and Abetting

4 58. Paragraphs 2 through 7 of this Indictment are realleged and
5 incorporated by reference herein.

6 59. On or about December 9, 2008, in the District of Nevada and elsewhere,

7 **SAMUEL DAVIS, and**
8 **SHAWN RICE,**

9 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
10 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
11 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$70,000 from Wells
12 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
13 to a financial account controlled by a FBI agent acting in an undercover capacity, involving
14 property that a the FBI agent acting in his undercover capacity had previously provided in
15 currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants
16 **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and
17 property used to conduct and facilitate the specified unlawful activity, that is, proceeds from
18 bank fraud, with the intent to promote the carrying on of the specified unlawful activity and
19 to conceal and disguise the nature, location, source, ownership and control of property
20 believed to be the proceeds of the specified unlawful activity, said specified unlawful activity
21 being violations of Title 18, United States Code, Section 1344.

22 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

23 **COUNT TWENTY-EIGHT**

24 Money Laundering; Aiding and Abetting

25 60. Paragraphs 2 through 7 of this Indictment are realleged and
26 incorporated by reference herein.

1 61. On or about December 10, 2008, in the District of Nevada and
2 elsewhere,

3 **SAMUEL DAVIS, and**
4 **SHAWN RICE,**

5 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
6 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
7 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$22,000 from Wells
8 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
9 to a financial account controlled by a FBI agent acting in an undercover capacity, involving
10 property that a the FBI agent acting in his undercover capacity had previously provided in
11 currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants
12 **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and
13 property used to conduct and facilitate the specified unlawful activity, that is, proceeds from
14 bank fraud, with the intent to promote the carrying on of the specified unlawful activity and
15 to conceal and disguise the nature, location, source, ownership and control of property
16 believed to be the proceeds of the specified unlawful activity, said specified unlawful activity
17 being violations of Title 18, United States Code, Section 1344.

18 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

19 **COUNT TWENTY-NINE**

20 Money Laundering; Aiding and Abetting

21 62. Paragraphs 2 through 7 of this Indictment are realleged and
22 incorporated by reference herein.

23 63. On or about December 24, 2008, in the District of Nevada and
24 elsewhere,

25 **SAMUEL DAVIS, and**
26 **SHAWN RICE,**

1 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
2 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
3 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$62,000 from Wells
4 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
5 to a financial account controlled by a FBI agent acting in an undercover capacity, involving
6 property that a the FBI agent acting in his undercover capacity had previously provided in
7 currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants
8 **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and
9 property used to conduct and facilitate the specified unlawful activity, that is, proceeds from
10 bank fraud, with the intent to promote the carrying on of the specified unlawful activity and
11 to conceal and disguise the nature, location, source, ownership and control of property
12 believed to be the proceeds of the specified unlawful activity, said specified unlawful activity
13 being violations of Title 18, United States Code, Section 1344.

14 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

15 **COUNT THIRTY**

16 Money Laundering; Aiding and Abetting

17 62. Paragraphs 2 through 7 of this Indictment are realleged and
18 incorporated by reference herein.

19 63. On or about December 26, 2008, in the District of Nevada and
20 elsewhere,

21 **SAMUEL DAVIS, and**
22 **SHAWN RICE,**

23 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
24 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
25 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$30,000 from Wells
26

1 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
2 to a financial account controlled by a FBI agent acting in an undercover capacity, involving
3 property that a the FBI agent acting in his undercover capacity had previously provided in
4 currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants
5 **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and
6 property used to conduct and facilitate the specified unlawful activity, that is, proceeds from
7 bank fraud, with the intent to promote the carrying on of the specified unlawful activity and
8 to conceal and disguise the nature, location, source, ownership and control of property
9 believed to be the proceeds of the specified unlawful activity, said specified unlawful activity
10 being violations of Title 18, United States Code, Section 1344.

11 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

12
13 **COUNT THIRTY-ONE**

14 **Money Laundering; Aiding and Abetting**

15 62. Paragraphs 2 through 7 of this Indictment are realleged and
16 incorporated by reference herein.

17 63. On or about January 5, 2009, in the District of Nevada and elsewhere,

18 **SAMUEL DAVIS, and**
19 **SHAWN RICE,**

20 defendants herein, did knowingly conduct and attempt to conduct a financial transaction, as
21 that term is defined in Title 18, United States Code, Sections 1956(c)(3) and (4), said
22 financial transaction being defendant **SAMUEL DAVIS** wire transferring \$92,000 from Wells
23 Fargo Bank account number XXXXXX5202 in the name of Boulder Mountain Funding Trust
24 to a financial account controlled by a FBI agent acting in an undercover capacity, involving
25 property that a the FBI agent acting in his undercover capacity had previously provided in
26

1 currency to defendant **SHAWN RICE** in the State of Nevada and represented to defendants
2 **SAMUEL DAVIS** and **SHAWN RICE** to be the proceeds of a specified unlawful activity and
3 property used to conduct and facilitate the specified unlawful activity, that is, proceeds from
4 bank fraud, with the intent to promote the carrying on of the specified unlawful activity and
5 to conceal and disguise the nature, location, source, ownership and control of property
6 believed to be the proceeds of the specified unlawful activity, said specified unlawful activity
7 being violations of Title 18, United States Code, Section 1344.

8 All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

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FORFEITURE ALLEGATION ONE
(Conspiracy to Commit Money Laundering)

64. The allegation of Counts One through Thirty-One of this Indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to the provision of Title 18, United States Code, Section 981(a)(1)(A), and Title 28, United States Code, Section 2461(c).

65. Upon a conviction of the felony offense charged in Counts One through Thirty-One of this Indictment, defendants

SAMUEL DAVIS, and
SHAWN RICE,

defendants herein, shall forfeit to the United States of America, any property involved in transactions or attempted transactions in violations of Title 18, United States Code, Section 1956 up to \$1,290,000.00 In United States Currency.

66. If any property being subject to forfeiture pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendants –

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been place beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

it is the intent of the United States of America to seek forfeiture of any properties of the defendant up to \$1,290,000.00 in United States Currency.

All pursuant to Title 18, United States Code, Section 981(a)(1)(A); Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 1956; and Title 21, United States Code, Section 853(p).

FORFEITURE ALLEGATION TWO
(Conspiracy to Commit Money Laundering)

67. The allegation of Counts One through Thirty-One of this Indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to the provision of Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

68. Upon a conviction of the felony offense charged in Counts One through Thirty-One of this Indictment, defendants

SAMUEL DAVIS, and
SHAWN RICE,

defendants herein, shall forfeit to the United States of America, any property which constitutes or is derived from proceeds traceable to violations of a conspiracy to commit violations of Title 18, United States Code, Section 1344, a "specified unlawful activity" as defined in Title 18, United States Code, Section 1956(c)(7) and Title 18, United States Code, Section 1961 up to \$1,290,000.00 In United States Currency.

69. If any property being subject to forfeiture pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendants –

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been place beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

it is the intent of the United States of America to seek forfeiture of any properties of the defendant up to \$1,290,000.00 in United States Currency.

1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C); Title 28,
2 United States Code, Section 2461(c); Title 18, United States Code, Section 1344, a
3 "specified unlawful activity" as defined in Title 18, United States Code, Section 1956(c)(7)
4 and Title 18, United States Code, Section 1961; and Title 21, United States Code, Section
5 853(p).

6 **FORFEITURE ALLEGATION THREE**
7 (Conspiracy to Commit Money Laundering)

8 67. The allegation of Counts One through Thirty-One of this Indictment are
9 hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture
10 pursuant to the provision of Title 18, United States Code, Section 982(a)(1).

11 68. Upon a conviction of the felony offense charged in Counts One through
12 Thirty-One of this Indictment, defendants

13 **SAMUEL DAVIS, and**
14 **SHAWN RICE,**

15 defendants herein, shall forfeit to the United States of America, any property involved in or
16 traceable to violations of Title 18, United States Code, Section 1956 up to \$1,290,000.00
17 In United States Currency.

18 69. If any property being subject to forfeiture pursuant to Title 18, United
19 States Code, Section 982(b)(2), as a result of any act or omission of the defendants –

- 20 a. cannot be located upon the exercise of due diligence;
21 b. has been transferred or sold to, or deposited with, a third party;
22 c. has been place beyond the jurisdiction of the court;
23 d. has been substantially diminished in value; or
24 e. has been commingled with other property that cannot be divided
25 without difficulty;
26

1 it is the intent of the United States of America to seek forfeiture of any properties of the
2 defendant up to \$1,290,000.00 in United States Currency.

3 All pursuant to Title 18, United States Code, Section 1956 and Title 18, United
4 States Code, Section 982(b)(2).

5 **DATED:** this 3 day of March 2009.

6 **TRUE BILL:**

7
8 /s/
9 FOREPERSON OF THE GRAND JURY

10 GREGORY A. BROWER
11 United States Attorney

12 
13 ERIC JOHNSON
14 Assistant United States Attorney